

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

DIVINE ALLAH,

Plaintiff,

DECISION AND ORDER

05-CV-6050L

v.

JOHN KEEFE,

Defendant.

Plaintiff's motion for leave to file an amended complaint was referred to United States Magistrate Judge Jonathan W. Feldman pursuant to 28 U.S.C. § 636(b). After careful consideration, the Magistrate Judge issued a thorough Report and Recommendation (Dkt. #44) and recommended that plaintiff's motion to file an amended complaint be denied. No objection was filed to that Report and Recommendation, although the time within which to do so has now lapsed.

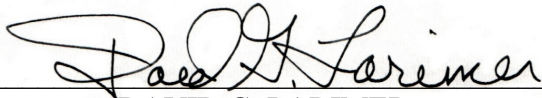
After reviewing plaintiff's motion and the thorough Report and Recommendation, I see no reason to alter or modify or reject the Magistrate Judge's Report and Recommendation, and I therefore accept it in all respects.

CONCLUSION

I accept and adopt the Report and Recommendation (Dkt. #44) of United States Magistrate Judge Jonathan W. Feldman.

Plaintiff's motion for leave to file an amended complaint (Dkt. #32) is in all respects denied.

IT IS SO ORDERED.



DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
April 13, 2009.